

1 **04 NCAC 16G .0824 — APPLICATION SIGNATURES**

2 ~~(a) Every application and every amendment thereto filed shall be manually signed by:~~

3 ~~(1) — a duly authorized representative of the applicant on its behalf,~~

4 ~~(2) — its principal executive officer,~~

5 ~~(3) — its principal financial officer,~~

6 ~~(4) — its principal accounting officer, and~~

7 ~~(5) — at least two thirds of its directors.~~

8 ~~(b) If any name is signed to an application or any amendment thereto pursuant to a power of attorney, a manually signed~~  
9 ~~copy of such power of attorney shall be filed with the application.~~

10 ~~(c) Except as provided in Paragraph (d) of this Rule, the filing of any application or amendment thereto under this~~  
11 ~~Subchapter shall constitute a representation of the applicant by its duly authorized representative, the applicant's principal~~  
12 ~~executive officer, the applicant's principal financial officer, and the applicant's principal accounting officer, and each~~  
13 ~~member of the applicant's board of directors (whether or not such directors has signed the application or any amendment~~  
14 ~~thereto) severally that:~~

15 ~~(1) — He or she has read such application or amendment;~~

16 ~~(2) — In the opinion of each such person, he or she has made such examination and investigation as is~~  
17 ~~necessary to enable him or her to express an informed opinion that such application or amendment~~  
18 ~~complies, to the best of his or knowledge and belief, with the applicable requirements of this~~  
19 ~~Subchapter and forms prescribed hereunder; and~~

20 ~~(3) — Each such person holds such informed opinion.~~

21 ~~(d) The representations specified in Paragraph (c) of this Rule shall not be deemed to have been made by any director of~~  
22 ~~the applicant who did not sign the application or any amendment thereto, if and only to the extent that such director files~~  
23 ~~with the administrator within 10 business days after the filing of the application or amendment a statement describing~~  
24 ~~those portions of any filing with which there is no such representation.~~

26 *History Note: Authority G.S. 54C-33; 54C-53;*

27 *Eff. February 15, 1992.*